

ard: Memorial resolution for Mrs. Martha Josephine Hicks.

S. R. No. 387—By Senator Blanchard: Memorial resolution for Mrs. Marian Philbrick.

Welcome Resolutions

S. R. No. 383—By Senator Herring: Extending welcome to fourth grade students of Eanes School of Austin.

S. R. No. 384—By Senator Jordan: Extending welcome to members of Girl Scout Troop 1291 of Houston.

S. R. No. 388—By Senator Watson: Extending welcome to Dr. Abner McCall, President of Baylor University of Waco, and Steve Richards of Houston and granting privileges of the floor for the day.

S. R. No. 389—By Senator Bernal: Extending welcome to students of Escobar Junior High School, Edgewood Independent School District of San Antonio.

S. R. No. 390—By Senator Hazlewood: Extending welcome to Bruce Naylor and Jayne Meadows of Amarillo.

S. R. No. 391—By Senator Brooks: Extending welcome to The Honorable Karl Kruse of Pasadena.

S. R. No. 392—By Senator Hall: Extending welcome to Mr. and Mrs. George M. Edge.

Adjournment

On motion of Senator Berry the Senate at 4:23 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Report of Standing Committee

Senator Hardeman submitted the following report:

Austin, Texas,
April 10, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 92, "An Act providing for

the recordation of certain claims of water rights and imposing limitations on the exercise of such claims; providing for the adjudication and administration of water rights; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

FORTY-SIXTH DAY

(Tuesday, April 11, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall Jordan

A quorum was announced present.

Father Sean Moore of San Antonio offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Jordan was granted leave of absence for today on account of important business on motion of Senator Brooks.

Reports of Standing Committees

Senator Watson submitted the following reports:

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 478, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

WATSON, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B. No. 81, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WATSON, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred S. B. No. 359, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WATSON, Chairman.

Senator Cole submitted the following report:

Austin, Texas,
April 11, 1967.

Hon. Preston Smith President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 1229, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

COLE, Chairman.
REAGAN
BLANCHARD

C. S. H. B. No. 1229 was read the first time.

Senator Creighton submitted the following report:

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections to which was referred S. B. No. 54, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.
HAZLEWOOD
BLANCHARD
CONNALLY
HARDEMAN
MOORE
RATLIFF
REAGAN
WADE
WORD

Senator Christie submitted the following report:

Austin, Texas,
April 10, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 47, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CHRISTIE

House Bills and Resolution on First Reading

The following bills and resolution received from the House, were read the first time and referred to the Committees indicated:

H. J. R. No. 37, to Committee on Constitutional Amendments.

H. B. No. 666, to Committee on Water and Conservation.

H. B. No. 720, to Committee on State Affairs.

H. B. No. 566, to Committee on Game and Fish

H. B. No. 583, to Committee on Game and Fish.

Senate Resolution 399

Senator Herring offered the following resolution:

Whereas, The Thirty-third Biennial Convention of Woodmen of the World, Jurisdiction of Texas, convened in Austin on April 9, 1967, and will be in session through Wednesday, April 12; and

Whereas, The Woodmen of the World is one of the outstanding fraternal service societies in existence, and carries on a wide range of programs to inspire patriotism: it presents flags to schools, community buildings, churches, parks, play grounds, Boy and Girl Scout troops; it distributes American Patriot's Handbooks to newly naturalized citizens, teachers, grade school history students; and

Whereas, The organization provides assistance to individuals, organizations, and even towns to meet needs otherwise unattainable: it assists in equipping clubs, camps and centers for youths; it provides equipment for fire fighters and rescue squads, for homes for the aged, for the handicapped and mentally retarded; and it carries on many other humanitarian enterprises; and

Whereas, Delegates to the Convention will tour the Texas Capitol, attend sessions of the House and Senate, and visit a number of state departments and agencies, and it is appropriate that the Texas Legislature extend official greetings to them; now, therefore, be it

Resolved, That the Senate of Texas welcome to Austin and the State Capitol members of the Woodmen of the World, Jurisdiction of Texas; and, be it further

Resolved, That a copy of this resolution be prepared for Grady L. Dunn, President, Jurisdiction of Texas, Woodmen of the World, in appreciation for the service to Texas of the Woodmen of the World and in recognition of their Thirty-third Biennial Convention.

The resolution was read and was adopted.

**Committee Substitute
House Bill 1229 Ordered Not Printed**

On motion of Senator Cole and by unanimous consent C. S. H. B. No. 1229 was ordered not printed.

Senate Bill 2 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the

regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 2, A bill to be entitled "An Act to be known as "The Medical Assistance Act of 1967" for the purpose of providing Medical Assistance on behalf of needy individuals in the State of Texas; expressing the Legislative intent; designating the State Department of Public Welfare as the State Department to administer such Act; providing for the cooperation of the State Department with the Department of Health, Education, and Welfare and/or any other Federal Agencies or Departments authorized to provide Medical Assistance on behalf of needy individuals; authorizing the acceptance and the expenditure of Federal funds for the purpose of carrying out the provisions of this Act; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 2 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall Jordan

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message From the House

Hall of the House of Representatives
Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 92, Inviting the Honorable Hubert H. Humphrey, Vice President of the United States, to address a Joint Session of the 60th Legislature at 12:30 p.m. on April 24, 1967.

H. C. R. No. 91, Expressing appreciation to the people of Texas and citizens of Falfurrias for their efforts in creating the Texas Ranger Museum.

H. C. R. No. 90, Extending congratulations to the Ex-Students Association of Texas Technological College upon their loyalty and enthusiasm, and sending good wishes for the celebration of "Tech Day".

H. C. R. No. 89, In memory of Alvin M. Owsley.

H. C. R. No. 11, Advising the Coordinating Board, Texas College and University System, to work with Sam Houston State College on certain objectives.

H. J. R. No. 14, Proposing an amendment to Section 24, Article III, and Section 17, Article IV, Constitution of the State of Texas, to provide for an annual salary of \$18,000 for the Lieutenant Governor and for the Speaker of the House of Representatives, and to extend to 140 days of the Regular Session the per diem allowance of Members of the Legislature.

H. J. R. No. 24, Proposing an amendment to the Constitution of the State of Texas to provide that Members of the Legislature shall receive as compensation an amount to be fixed by law.

H. B. No. 86, A bill to be entitled "An Act to include within the definition of the term "exceptional children" eligible for special education services

pregnant girls who are residents of or under the care of licensed maternity homes; amending Paragraph a, Subsection (4), Section 1, Article III of Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 2922-13, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 514, A bill to be entitled "An Act relating to compensation of members of the Texas Board of Mental Health and Mental Retardation; amending Section 2.06, Chapter 67, Acts of the 59th Legislature, Regular Session, 1965, (codified as Section 2.06, Article 5547-202, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 632, A bill to be entitled "An Act transferring the authority to license private mental hospitals from the Texas State Department of Health to the Texas Department of Mental Health and Mental Retardation; amending Section 4, chapter 243, Acts, 55th Legislature, Regular Session, 1957, (codified as Article 5547-4, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 652, A bill to be entitled "An Act relating to the admission of mentally retarded persons to State schools; amending Section 9, Chapter 119, Acts of the 54th Legislature, Regular Session 1955, (codified as Article 3871b, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 727, A bill to be entitled "An Act amending Section E of Article 1037 of the Penal Code of Texas, 1925, as amended by Chapter 624, Acts of the 47th Legislature, Regular Session, 1941, relating to weights and measures, by amending said Section E to provide for sale of fresh-cooked poultry by the piece or by the head; repealing conflicting laws; and declaring an emergency."

H. B. No. 732, A bill to be entitled "An Act authorizing and directing the Texas Department of Mental Health and Mental Retardation to convey and transfer to the Parks and Wildlife Department certain land in Travis County, Texas, and declaring an emergency."

H. B. No. 753, A bill to be entitled "An Act relating to the return of com-

mitted mentally retarded persons to the states of their residence; amending Section 2.20, chapter 67, Acts of the 59th Legislature, Regular Session, 1965, (codified as Section 2.20, Article 5547-202, Vernon's Texas Civil Statutes); and declaring an emergency."

H. J. R. No. 61, Proposing an amendment to Section 24, Article III Constitution of the State of Texas to provide that members of the Legislature shall receive as salary an amount not exceeding \$8400 per year and to extend to 140 days of the Regular Session the per diem allowance of members of the Legislature.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 68, A bill to be entitled "An Act amending Section 8, Chapter 152, Acts of the 59th Legislature, Regular Session, 1965 (Article 1970-126a, Vernon's Texas Civil Statutes), so as to allow the Commissioners Court of Jefferson County to set the salary of the Judge of the County Court of Jefferson County at Law No. 2 at not more than \$19,800; providing for severability; repealing all laws in conflict and declaring an emergency."

S. B. No. 22, A bill to be entitled "An Act authorizing creation of the Merkel Hospital District; providing for an election within the area of the proposed hospital district and making certain findings in connection therewith; providing for the operation and financing of said district, including the procedures it is to follow; providing a severability clause; and declaring an emergency."

S. B. No. 76, A bill to be entitled "An Act amending Section 2b, Chapter 206, Acts of the 50th Legislature, 1947, as amended (Article 326k-12, Vernon's Texas Civil Statutes); relating to the salary of investigators and assistant district attorneys of McLennan County; and declaring an emergency."

S. B. No. 93, A bill to be entitled

"An Act amending Section 13, Chapter 29, Acts of the 34th Legislature, Regular Session, 1915, as amended (Article 1970-122, Vernon's Texas Civil Statutes), so as to allow the Commissioners Court of Jefferson County to set the salary of the judge of the County Court of Jefferson County at Law at not more than \$19,800; providing for severability; repealing all laws in conflict and declaring an emergency."

S. B. No. 75, A bill to be entitled "An Act amending Subsection (c), Section 1, Chapter 716, Acts of the 59th Legislature, Regular Session, 1965 (Article 326k-56, Vernon's Texas Civil Statutes); providing an increase in the maximum salary of the district attorney of the 19th, 54th, and 74th Judicial Districts; and declaring an emergency."

S. B. No. 352, A bill to be entitled "An Act relating to adjustment in the local fund assignment in certain school districts; amending Sections 1 and 2, Chapter 563, Acts of the 59th Legislature, Regular Session, 1965 (Article 2922-16e, Vernon's Texas Civil Statutes); and declaring an emergency."

Senate Joint Resolution 37 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 37, Proposing an amendment to Article III, Constitution of the State of Texas, by adding a new Section 52e to give Dallas County the power to issue bonds under Article III, Section 52 of the Constitution for the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof, upon a vote of a majority of the resident property taxpayers voting thereon who are qualified electors of said county, and to provide that bonds heretofore or hereafter issued under Sub-sections (a) and (b) of said Section 52 shall not be included in determining the debt limit prescribed in said section, and fixing the date for the election on the adoption of said amendment.

The resolution was read second time and passed to engrossment.

**Senate Joint Resolution 37
on Third Reading**

Senator Parkhouse moved that the Constitutional Rule and Senate Rules 32 and 45 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall Jordan

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and passed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall Jordan

Senate Bill 331 on Second Reading

On motion of Senator Christie and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 331, A bill to be entitled "An Act relating to the protection of horned toads (*Phrynosoma* sp.) from commercial exploitation; providing a penalty; and declaring an emergency."

The bill was read second time.

Senator Christie offered the following amendment to the bill:

Amend S. B. No. 331 as follows:

(1) Amend Section 1 of the printed bill to read as follows:

"Section 1. KILLING, CAPTURING, SELLING, OR TRANSPORTING HORNED TOADS WITHIN THE STATE OF TEXAS. (a) It shall be unlawful for any person to capture, trap, trap for, ensnare, willfully kill or injure, take or have in his possession for the purpose of sale, barter, or commercial exploitation, horned toads in the State of Texas except for the propagation and scientific purposes as provided by law; provided further that possession includes the transportation, shipping, or storing of horned toads, dead or alive, within the State of Texas.

"(b) As used in this Act, 'horned toad' means a horned toad or horned lizard of the genus *Phrynosoma*."

(2) Strike the words "(*Phrynosoma* sp.)" in Sec. 2, line 32.

(3) Insert ", the executive director of the Parks and Wildlife Department or his authorized representative," between the words "sheriff" and "or" in Sec. 3, line 38.

The amendment was read and was adopted.

On motion of Senator Christie and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 331 on Third Reading

Senator Christie moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that

S. B. No. 331 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall Jordan

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall Jordan

Record of Vote on Senate Bill 2

On motion of Senator Watson and by unanimous consent he will be recorded as voting "Yea" on the roll call on S. B. No. 2.

Senate Bill 25 on Second Reading

On motion of Senator Wilson and by unanimous consent, the regular order of business was suspended to

take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 25, A bill to be entitled "An Act amending Section 29 of the Texas Trust Act, Chapter 148, Acts of the 48th Legislature (1943), sec. 29, p. 232, codified as Article 7425b-29, Vernon's Texas Civil Statutes, relating to the allocation of dividends and share rights; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Wilson offered the following Committee Amendment to the bill:

Amend S. B. No. 25 by striking all below the enacting clause and substituting the following:

"Section 1. The beneficiary of a trust created before the effective date of the Texas Trust Act may, after the death of the trustor or trustors of the Trust, elect to come under the provisions of the Texas Trust Act by giving written notice to the trustee by certified or registered mail, return receipt requested. After notice is received by the trustee, the Texas Trust Act shall apply to the beneficiary's interest in the trust.

"Section 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and this Act shall take effect and be in full force from and after its passage, and it is so enacted."

The Committee Amendment was read and was adopted.

Senator Wilson offered the following Committee Amendment to the bill:

Amend S. B. No. 25 by striking all above the enacting clause and substituting the following:

A bill to be entitled "An Act permitting beneficiaries of a trust created before the effective date of the Texas Trust Act to elect to come under the provisions of said Act, after the death of the trustor or trustors;

specifying the means by which the election is to be made; and declaring an emergency."

The Committee Amendment was read and was adopted.

The bill as amended was passed to engrossment.

Record of Votes

Senators Creighton, Herring, Aikin and Bates asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Motion to Place

Senate Bill 25 on Third Reading

Senator Wilson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 25 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—22

Bernal	Mauzy
Berry	Moore
Brooks	Patman
Cole	Ratliff
Connally	Reagan
Grover	Schwartz
Hardeman	Strong
Harrington	Wade
Hazlewood	Watson
Hightower	Wilson
Kennard	Word

Nays—6

Aikin	Creighton
Bates	Herring
Blanchard	Parkhouse

Absent

Christie

Absent—Excused

Hall	Jordan
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Senate Bill 453 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 453, A bill to be entitled

"An Act providing that the rates of per diem wages, legal holiday overtime wages paid by the Texas Highway Department to employees paid on an hourly basis shall be set by the biennial Appropriations Act; repealing laws in conflict; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 453 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 453 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall	Jordan
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Committee Substitute

Senate Bill 219 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 219, A bill to be entitled "An Act relating to uninsured motorist coverage; amending the Texas Insurance Code by adding

Article 5.06-1; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend the Committee Substitute for S. B. No. 219 by deleting subsection (3) of Art. 5.06-1 in Section 1 of same, substituting in lieu thereof the following:

"(3) In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of such coverage, the insurer making such payment shall, to the extent thereof, be entitled to the proceeds of any settlement or judgment resulting from the exercise of any rights of recovery of such person against any person or organization legally responsible for the bodily injury, sickness or disease, or death for which such payment is made, including the proceeds recoverable from the assets of the insolvent insurer; provided, however, whenever an insurer shall make payment under a policy of insurance issued pursuant to this Act, which payment is occasioned by the insolvency of an insurer, the insured of said insolvent insurer shall be given credit in any judgment obtained against him, with respect to this legal liability for such damages, to the extent of such payment, but such paying insurer shall have the right to proceed directly against the insolvent insurer or its receiver, and in pursuance of such right such paying insurer shall possess any rights which the insured of the insolvent company might otherwise have had if the insured of the insolvent insurer had made the payment."

The amendment was read and was adopted.

Senator Brooks offered the following amendment to the bill:

Amend the Committee Substitute for S. B. No. 219 by changing the period after the words "reject the coverage" in line 39 of Section 1 of the bill to a semicolon and adding the following language:

" ; and provided further that, unless the named insured requests such coverage in writing, such coverage need not be provided in or sup-

plemental to a renewal policy where the named insured has rejected the coverage in connection with a policy previously issued to him by the same insurer."

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Committee Substitute Senate Bill 219 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 219 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall Jordan

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committees

Senator Christie by unanimous consent submitted the following report:

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Coun-

ties, Cities and Towns, to which was referred H. B. No. 620, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CHRISTIE

Senator Hightower by unanimous consent submitted the following reports:

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 566, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 583, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER, Chairman.

House Bill 620 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent H. B. No. 620 was ordered not printed.

Senate Bill 155 on Final Passage

On motion of Senator Berry and by unanimous consent, the regular order of business was suspended to take up for consideration at this time S. B. No. 155 on its final passage (the bill having been read third time on Thursday, March 30, 1967).

Question—Shall S. B. No. 155 be finally passed?

Senator Bernal offered the following amendment to the bill:

Amend S. B. No. 155 by striking all below the enacting clause and substituting the following:

Section 1. Section 186a, Texas Election Code, as amended by Section 1, Chapter 16, Acts of the 57th Legislature, 3rd Called Session, 1962; Section 82, Chapter 424, Acts of the 58th Legislature, 1963; and Chapter 492, Acts of the 58th Legislature, 1963 (Article 13.08a, Vernon's Texas Election Code), is amended to read as follows:

"Section 186a. ASSESSMENT OF CANDIDATES IN COUNTIES HAVING CERTAIN POPULATIONS

"Candidates for any precinct, county or district office and the office of Congress in counties which have a population of one million (1,000,000) or more, according to the last preceding Federal Census, except candidates for the State Legislature and State Board of Education, shall not be assessed a sum in excess of ten percent (10%) of the aggregate annual salary provided for any office of two-year terms, and fifteen percent (15%) of the aggregate annual salary provided for any office of four-year terms, to have their names placed on the ballot in any primary election. Candidates for the State Board of Education shall not be assessed a sum in excess of the amount stated in Section 186 of this Code.

"Notwithstanding other provisions of law, the county executive committee in any county which has a population of one million (1,000,000) or more, according to the last preceding Federal Census, may require candidates for State Representative to pay an amount not exceeding Five Hundred Dollars (\$500) to have their names placed upon the ballot in a primary election. A candidate for nomination for State Senator shall pay the full amount of One Thousand Dollars (\$1,000) as filing fee for office of State Senator to have his name placed upon the ballot in a primary election at the time he files his application for a place on the ballot. The payment must accompany the application and must be in the form of cash, money order, cashier's check or certified check. The application and payment must be delivered to the proper party chairman or secretary by the deadline for making application for a place on the ballot, and it shall not be sufficient for the application and payment to have been mailed before the deadline unless they are actually delivered by the deadline.

After the county executive committee makes the assessments as provided in Section 186 of this Code, it shall refund to each candidate within thirty (30) days thereafter the amount of the payment in excess of the assessment against the candidate.

"Notwithstanding other provisions of law, the county executive committee in any county which has a population of nine hundred thousand (900,000) to one million (1,000,000), according to the last preceding Federal Census, shall require candidates for State Senator or State Representative to pay the amount of Three Hundred Dollars (\$300) to have their names placed upon the ballot in a primary election.

"Notwithstanding other provisions of law, the county executive committee in any county which has a population of six hundred and fifty thousand (650,000) to nine hundred thousand (900,000), according to the last preceding Federal Census, shall require candidates for State Senator or State Representative to pay the amount of Five Hundred Dollars (\$500) to have their names placed upon the ballot in a primary election. The county executive committee may increase this amount to One Thousand Dollars (\$1,000) for candidates for State Senator and Six Hundred Dollars (\$600) for candidates for State Representative. However, if part of such a county is joined to two (2) or more other counties to comprise a senatorial district, the county executive committee shall require candidates for State Senator of that senatorial district to pay the amount of Fifty Dollars (\$50) to have their names placed upon the ballot in a primary election. In any case, such payment must accompany the application and must be in the form of cash, money order, cashier's check, or certified check which shall in no event be refunded except in case of the death of the applicant, or the determination of his ineligibility, before the primary election. Any person making a refund or participating in making a refund in violation of the provisions of this paragraph is guilty of a misdemeanor and upon conviction is punishable by imprisonment in the county jail for not more than ninety (90) days or by a fine of not more than Five Hundred Dollars (\$500) or by both.

"In any State Representative Dis-

trict consisting of eight (8) and not more than nine (9) counties, the chairmen of the county executive committees shall require candidates for State Representative to pay an amount of Twenty-five Dollars (\$25) for each of the counties in said Representative District, to have their names placed upon the ballot in a primary election."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended.

The amendment was read and was adopted by the following vote:

Yeas—29

Aikin	Hightower
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Connally	Schwartz
Creighton	Strong
Grover	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Absent—Excused

Hall	Jordan
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(Senator Hardeman in the Chair.)

On motion of Senator Berry and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was then finally passed.

**Senate Concurrent Resolution 36
on Second Reading**

The Presiding Officer laid before the Senate the following resolution:

S. C. R. No. 36, Authorizing the State Building Commission to execute agreements to vacate certain city streets and alleys and relocate traffic arteries in the Capitol Complex.

The resolution was read second time.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 306, to Committee on Military and Veterans Affairs.

Notice of Executive Session

Senator Blanchard gave notice that he would move for an Executive Session at 11:00 o'clock a.m. tomorrow.

Memorial Resolutions

S. R. No. 395—By Senator Watson: Memorial resolution for Penn J. Wheelis.

S. R. No. 396—By Senator Watson: Memorial resolution for Riley M. Stickle.

Welcome Resolutions

S. R. No. 394—By Senators Patman and Bernal: Extending welcome to Father Sean Moore and granting privileges of floor for the day.

S. R. 397—By Senator Schwartz: Extending welcome to students and teacher of Island Elementary School of Galveston.

S. R. No. 398—By Senator Bernal: Extending welcome to eighth grade class of St. Lawrence Catholic School.

S. R. No. 400—By Senator Herring: Extending welcome to students and teachers of L. L. Campbell School of Austin.

S. R. No. 401—By Senator Herring: Extending welcome to seventh and eighth grade classes of San Marcos Academy.

S. R. No. 402—By Senator Word: Extending welcome to senior class of Goldthwaite High School.

S. R. No. 403—By Senator Herring: Extending welcome to sixth grade class from Crockett Elementary School of San Marcos.

Adjournment

On motion of Senator Reagan the Senate at 11:46 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 68, "An Act amending Section 8, Chapter 152, Acts of the 59th Legislature, Regular Session, 1965 (Article 1970-126a, Vernon's Texas Civil Statutes), so as to allow the Commissioners Court of Jefferson County to set the salary of the judge of the County Court of Jefferson County at Law No. 2 at not more than \$19,800; providing for severability; repealing all laws in conflict; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 22, "An Act authorizing creation of the Merkel Hospital District; providing for an election within the area of the proposed hospital district and making certain findings in connection therewith; providing for the operation and financing of said district, including the procedures it is to follow; providing a severability clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 352, "An Act relating to adjustment in the local fund assignment in certain school districts; amending Sections 1 and 2, Chapter 563, Acts of the 59th Legislature, Regular Session, 1965 (Article 2922-16e, Vernon's Texas Civil Statutes); and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 75, "An Act amending Subsection (c), Section 1, Chapter 716, Acts of the 59th Legislature, Regular Session, 1965 (Article 326k-56, Vernon's Texas Civil Statutes); providing an increase in the maximum salary of the district attorney of the 19th, 54th, and 74th Judicial Districts; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 76, "An Act amending

Section 2b, Chapter 206, Acts of the 50th Legislature, 1947, as amended (Article 326k-12, Vernon's Texas Civil Statutes); relating to the salary of investigators and assistant district attorneys of McLennan County; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
April 11, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 93, "An Act amending Section 13, Chapter 29, Acts of the 34th Legislature, Regular Session, 1915, as amended (Article 1970-122, Vernon's Texas Civil Statutes), so as to allow the Commissioners Court of Jefferson County to set the salary of the judge of the County Court of Jefferson County at Law at not more than \$19,800; providing for severability; repealing all laws in conflict and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

April 11, 1967

S. B. No. 92

S. B. No. 352

S. B. No. 22

S. B. No. 75

S. B. No. 93

S. B. No. 68

S. B. No. 76

In Memory of
Haney Max Roark

Senator Watson offered the following resolution:

(Senate Resolution 393)

Whereas, On March 12, 1967, citizens of Rockdale and the entire State of Texas lost an esteemed civic leader, educator, and former member of the Texas Legislature with the death of Haney Max Roark, at the age of 87; and

Whereas, He was employed by the Texas Railroad Commission and the State Treasurer for a number of years; in 1952-1953, he served as a member of the Texas House of Representatives from Milam County; he had also served as city judge in Rockdale and as county clerk of Milam County; and

Whereas, A retired school teacher, he had lived in Rockdale for 67 years; he taught in Thorndale and Williamson County; and

Whereas, He was a member of the First Baptist Church in Rockdale where he was a deacon and Sunday school teacher; a Mason, he served the Thorndale Masonic Lodge for many years as Worshipful Master; and

Whereas, The Senate of the 60th Legislature wishes to pay tribute to this outstanding citizen and former member of the Texas Legislature, who gave so generously of himself in the service of his state and community; now, therefore, be it

Resolved, That the Senate of the State of Texas by this resolution pay tribute to the Honorable H. M. Roark and extend sympathy to the Roark family; and, be it further

Resolved, That copies of this resolution, under the Seal of the Senate, be prepared for his wife; and his four sons, W. W. Roark of Temple, H. C. Roark of Oklahoma City, Max W. Roark of Rosebud and L. J. Roark of Culver City, California; and, be it further

Resolved, That when the Senate adjourns today, it do so in memory of former Representative Haney Max Roark.

WATSON

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.